

PROCEEDINGS AGAINST JAMES LYNCH FOR CONTEMPT
OF THE SENATE

JANUARY 22 (legislative day, JANUARY 8), 1951.—Ordered to be printed

Mr. KEFAUVER, from the Special Committee To Investigate Organized
Crime in Interstate Commerce, submitted the following

R E P O R T

[To accompany S. Res. 45]

The Special Committee To Investigate Organized Crime in Interstate Commerce as created and authorized by the United States Senate by Senate Resolution 202, Eighty-first Congress, second session, caused to be issued a subpoena to James Lynch, 65-B Henry Avenue, Palisades Park, N. J. The said subpoena directed James Lynch to be and appear before the said committee forthwith at 9:30 a. m. at room 318, Senate Office Building, Washington, D. C., then and there to testify touching matters of inquiry committed to said committee and not to depart without leave of said committee. The date of the subpoena was the 11th day of September 1950. Attendance pursuant to said subpoena was had on December 13, 1950, at which time the witness appeared. The subpoena served upon said James Lynch is set forth as follows:

UNITED STATES OF AMERICA

CONGRESS OF THE UNITED STATES

To JAMES LYNCH, 65-B Henry Avenue, Palisades Park, N. J., Greeting:

Pursuant to lawful authority, you are hereby commanded to appear before the Senate Committee To Investigate Organized Crime in Interstate Commerce of the Senate of the United States, forthwith at 9:30 a. m., at their committee room 318 United States Senate Office Building, Washington, D. C., then and there to testify what you may know relative to the subject matters under consideration by said committee. To produce all books and records, including journals, ledgers, invoices, bank statements, canceled checks, check-book stubs, safety-deposit-box receipts, vouchers, accountant's work papers, financial statements, payroll record credit reports, etc., 1940 to date, of all your business connections and activities.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To Pat Murray or J. F. Elich to serve and return.

Given under my hand, by order of the committee, this 11th day of September, in the year of our Lord one thousand nine hundred and fifty.

ESTES KEFAUVER,

Chairman, Committee To Investigate Crime in Interstate Commerce.

The said subpoena was duly served as appears by the return made thereon by P. C. Murray, who was duly authorized to serve the said subpoena. The return of the service by the said P. C. Murray, being endorsed thereon, is set forth as follows:

NOVEMBER 2, 1950.

I made service of the within subpoena by hand the within-named James Lynch, at courthouse, Hackensack, N. J., at 9:44 a. m., on the 2d day of November 1950.

P. C. MURRAY.

The said James Lynch pursuant to said subpoena and in compliance therewith appeared before the said committee to give such testimony as required by virtue of Senate Resolution 202, Eighty-first Congress, second session. James Lynch having appeared as a witness and having been asked questions, which questions were pertinent to the subject matter under inquiry, made answers as appeared in the records of the hearing on December 13, 1950, at Washington, D. C., which record is annexed hereto and made a part hereof and designated "Annex I."

As a result of said James Lynch's refusal to answer the questions pursuant to the said inquiry, as appears in the record annexed, consisting of pertinent excerpts from the testimony of that day, the committee was prevented from receiving testimony and evidence concerning the matter committed to said committee in accordance with the terms of said subpoena served upon this witness.

The committee was therefore deprived of answers to questions pursuant to the committee's inquiry propounded to James Lynch pertinent to the subject matter which under Senate Resolution 202, Eighty-first Congress, second session, the said committee was instructed to investigate, and the refusal of the witness to answer questions as set forth in annex I, is a violation of the subpoena under which the witness was directed to appear and answer pertinent questions to the subject under inquiry, and his persistent and illegal refusal to answer the aforesaid questions deprived the committee of necessary and pertinent testimony and places this witness in contempt of the United States Senate.

The subcommittee hearing at which said witness refused to answer said questions was duly authorized by a resolution of the said committee, as set forth below:

SPECIAL COMMITTEE TO INVESTIGATE ORGANIZED CRIME IN INTERSTATE
COMMERCE

MINUTES OF A COMMITTEE MEETING, SEPTEMBER 6, 1950

The committee held an executive session at 2 o'clock in room F-82 in the Capitol. There were present Senators Kefauver, Hunt, and Wiley. There were also present Rudolph Halley, chief counsel; Alfred M. Klein, assistant counsel; and Mr. Julius Cahn, administrative assistant to Senator Wiley.

It was duly resolved on motion made by Senator Hunt and seconded by Senator Wiley that the chairman be authorized at his discretion to appoint subcommittees of one or more Senators, of whom one member will be a quorum for the purpose of taking testimony and all other committee acts, to hold hearings at such time and places as the chairman might designate with reference to the committee's investigations of organized crime in the vicinities of the cities of Chicago, St. Louis, Kansas City, Miami, Miami Beach and Philadelphia, and in the States of New York and New Jersey.

ESTES KEFAUVER, *Chairman.*

After reviewing the testimony and other facts as set forth herein, the committee adopted a resolution, as set forth below:

SPECIAL COMMITTEE TO INVESTIGATE ORGANIZED CRIME IN INTERSTATE
COMMERCE

MINUTES OF A COMMITTEE MEETING, JANUARY 5, 1951

The committee met at 11:30 a. m. in room 457 of the Senate Office building. There were present the chairman, Senator Kefauver, and Senators Tobey and Wiley.

The chairman presented to the committee the minutes of the committee meeting of September 6, 1950, together with a resolution made as of that date. The chairman stated to the committee that the chairman had designated a subcommittee to hear continued testimony in connection with organized crime in the city of Washington, D. C., pursuant to the resolution of September 6, 1950, the subcommittee consisting of Senator Hunt.

The chairman then presented to the committee the minutes of said subcommittee meeting on December 13, 1950, held in room 457, United States Senate Office Building, Washington, D. C.

The chairman stated to the committee that the witness, James Lynch, repeatedly, consistently, and arbitrarily had refused to answer questions put to him through Senator Hunt's examination of said witness on December 13, 1950, and that his refusal therefore was improper and contemptuous.

The chairman presented to the committee a draft report on the entire matter for the committee's consideration and the committee duly adopted the said report and instructed the chairman to present said report to the United States Senate.

Therefore, upon motion of Senator Tobey, duly seconded by Senator Wiley, it was duly resolved that the committee present to the United States Senate, for its immediate action, a resolution requiring the United States Attorney for the District of Columbia to proceed against the said James Lynch in the manner and form provided by law.

ESTES KEFAUVER, *Chairman.*

ANNEX I

INVESTIGATION OF ORGANIZED CRIME IN INTERSTATE
COMMERCE

UNITED STATES SENATE,
SPECIAL COMMITTEE TO INVESTIGATE,
ORGANIZED CRIME IN INTERSTATE COMMERCE,
Washington, D. C., Wednesday, December 13, 1950.

REPORTERS' TRANSCRIPT

The committee met, pursuant to adjournment, at 10:10 a. m. in room 457, Senate Office Building, Senator Estes Kefauver (chairman) presiding.

Present: Senators Kefauver (chairman) and Tobey.

Also present: Rudolph Halley, chief counsel, and Alfred M. Klein, assistant counsel.

THE CHAIRMAN. The committee will come to order.

Mr. James Lynch, will you take the witness chair, please.

Mr. Lynch, do you swear the testimony you are about to give this committee is the truth, the whole truth, and nothing but the truth?

Mr. LYNCH. Yes, sir.

Senator HUNT. You may be seated.

All right, Mr. Halley.

Mr. HALLEY. What is your full name, Mr. Lynch?

Mr. LYNCH. James Lynch.

Mr. HALLEY. And what is your address?

Mr. LYNCH. 85-B Henry Avenue, Palisades Park.

Mr. HALLEY. Do you have a business address?

Mr. LYNCH. No business address.

Mr. HALLEY. Do you have any business?

Mr. LYNCH. No, sir.

Mr. HALLEY. This committee made very intensive efforts to serve a subpoena on you during the month of October 1950. Would you mind telling me where you were October 1 to October 15, 1950?

Mr. LYNCH. October 1?

Mr. HALLEY. Yes.

Mr. LYNCH. I was at my home in October.

Mr. HALLEY. Are you married to Virginia Lynch?

Mr. LYNCH. That is right.

Mr. HALLEY. She appeared as a witness before this committee on October 12 and said that about a week prior to that time you had left home.

Mr. LYNCH. That is right; I did.

Mr. HALLEY. About October 5?

Mr. LYNCH. Around that time, somewhere around that time.

Mr. HALLEY. And where did you go?

Mr. LYNCH. I went to my mother's house.

Mr. HALLEY. Where is that?

Mr. LYNCH. Jersey City.

Mr. HALLEY. Why did you do that?

Mr. LYNCH. I was in a run-down condition. I was very sick at the time and I didn't want to disturb my Mrs., and let her worry about me.

Mr. HALLEY. You didn't even tell her where you were?

Mr. LYNCH. That is right; I didn't want her to know where I was.

Mr. HALLEY. You did not want her to know where you were?

Mr. LYNCH. I just didn't want her to worry about me.

Mr. HALLEY. Did you not know that this committee was trying to serve a subpoena upon you?

Mr. LYNCH. No, sir.

Mr. HALLEY. Did you tell her that you were going to take a trip?

Mr. LYNCH. I told her I was going away. I didn't want her to know where I was at.

Mr. HALLEY. And you went away as far as Jersey City?

Mr. LYNCH. That is right.

Mr. HALLEY. And you stayed away until this committee's hearings were over, is that right?

Mr. LYNCH. No, I was back. I come back when I found out my wife had got subpoenaed.

Mr. HALLEY. When was that?

Mr. LYNCH. I read it in the papers.

Mr. HALLEY. When was that?

Mr. LYNCH. Well, while I was at my mother's house, I picked the paper up and read it.

Mr. HALLEY. Did you make any efforts to come in before the committee and say you were now present?

Mr. LYNCH. Not at that time, no; but I never run away from no subpoena or anything else.

Mr. HALLEY. You made no effort to spare your wife the problem of appearing before this committee?

Mr. LYNCH. I didn't know she was subpoenaed.

Mr. HALLEY. And the embarrassment attendant thereto.

Mr. LYNCH. I said I did not know she had it.

Mr. HALLEY. It was in the newspapers.

Mr. LYNCH. A day or so before. I think the same day I read the paper was when she had to be in New York.

Mr. HALLEY. And you did not make any effort to come and appear yourself?

Mr. LYNCH. I didn't know they were looking for me.

Mr. HALLEY. It said so in all the newspapers, Mr. Lynch. Didn't you see that in the newspapers?

Mr. LYNCH. No, sir. I would never duck nobody. I have never been away from any place.

Mr. HALLEY. You ducked the service of this committee's subpoena, did you not?

Mr. LYNCH. I am here now, Your Honor.

Mr. HALLEY. My name is Halley. There is no reason to call me "Your Honor."

Mr. LYNCH. Halley.

Mr. HALLEY. Were you under a doctor's care while at your mother's house?

Mr. LYNCH. No, sir; I was not.

Mr. HALLEY. Did you stay there or go out to attend to business?

Mr. LYNCH. I didn't have any business at that time. I just went there to relax and rest myself. I was in a rundown condition. I have lost 30 pounds since October. I still feel the effects of it.

Mr. HALLEY. But you had no doctor to take care of you?

Mr. LYNCH. Not at that time; no.

Mr. HALLEY. Now, Mr. Lynch, you say you have no business?

Mr. LYNCH. That is right.

Mr. HALLEY. When did you last have a business?

Mr. LYNCH. On advice of my counsel I refuse to answer.

Mr. HALLEY. Have you ever had a legitimate business?

Mr. LYNCH. No, sir.

Mr. HALLEY. You have not?

Mr. LYNCH. No.

Mr. HALLEY. At no time?

Mr. LYNCH. No, sir.

Mr. HALLEY. How old are you, Mr. Lynch?

Mr. LYNCH. Forty-six.

Mr. HALLEY. Where were you born?

Mr. LYNCH. Jersey City, N. J.

Mr. HALLEY. And you have lived in New Jersey ever since?

Mr. LYNCH. Yes, sir.

Mr. HALLEY. You have never lived in any other State?

Mr. LYNCH. No, sir.

Mr. HALLEY. And where did you go to school?

Mr. LYNCH. Jersey City.

Mr. HALLEY. Through what grades in school did you attend?

Mr. LYNCH. Seventh grade.

Mr. HALLEY. And then what did you do?

Mr. LYNCH. Well, I went to work as an office boy.

Mr. HALLEY. Were you ever arrested?

Mr. LYNCH. Yes, sir.

Mr. HALLEY. You were?

Mr. LYNCH. Yes, sir.

Mr. HALLEY. On what charges?

Mr. LYNCH. On a robbery charge.

Mr. HALLEY. When was that, do you remember?

Mr. LYNCH. 1922.

Mr. HALLEY. And were you convicted?

Mr. LYNCH. Yes, sir.

Mr. HALLEY. Did you go to jail?

Mr. LYNCH. Yes, sir.

Mr. HALLEY. How long did you serve?

Mr. LYNCH. Seven years and six months.

Mr. HALLEY. Seven years?

Mr. LYNCH. Yes.

Mr. HALLEY. Where did you serve that?

Mr. LYNCH. Trenton State Prison, New Jersey.

Mr. HALLEY. And you got out in 1929?

Mr. LYNCH. That is right.

Mr. HALLEY. Were you convicted of any crime after that?

Mr. LYNCH. No, sir.

Mr. HALLEY. Did you get a 6-month sentence in Trenton in 1937?

Mr. LYNCH. No, sir.

Mr. HALLEY. You did not?

Mr. LYNCH. No, sir.

Mr. HALLEY. Were you arrested in 1933 in Trenton for aiding and abetting a lottery?

Mr. LYNCH. No, sir.

Mr. HALLEY. You say you were not arrested for that at all?

Mr. LYNCH. No, sir.

Mr. HALLEY. Do you take the position that that one arrest in 1922 is the only arrest?

Mr. LYNCH. Outside of a disorderly person.

Mr. HALLEY. When were you arrested for being a disorderly person?

Mr. LYNCH. After I come out of prison.

Mr. HALLEY. How long after that?

Mr. LYNCH. A couple of months.

Mr. HALLEY. What happened then?
 Mr. LYNCH. Well, I was given 90 days for disorderly person's case.
 Mr. HALLEY. Where was that?
 Mr. LYNCH. In Hoboken, N. J.
 Mr. HALLEY. Hoboken?
 Mr. LYNCH. That is right.
 Mr. HALLEY. And were you ever arrested after that?
 Mr. LYNCH. No, sir.
 Mr. HALLEY. Were you not arrested for being a disorderly person in Trenton in May of 1937 and given 6 months?
 Mr. LYNCH. No, sir.
 Mr. HALLEY. If the record shows that, it would be a mistake?
 Mr. LYNCH. I guess it is.
 Mr. HALLEY. I have an FBI record in front of me.
 Mr. LYNCH. That must be a mistake. I was never arrested.
 Mr. HALLEY. You referred to two convictions. Have you ever been convicted on any other occasion?
 Mr. LYNCH. No, sir.
 Mr. HALLEY. That is the disorderly person conviction?
 Mr. LYNCH. Yes.
 Mr. HALLEY. Now after you were convicted as a disorderly person what business were you in?
 Mr. LYNCH. On advice of my counsel I refuse to answer.
 Mr. HALLEY. Do you have any legitimate business?
 Mr. LYNCH. No, sir.
 Mr. HALLEY. You never have had one?
 Mr. LYNCH. No, sir.
 Mr. HALLEY. Now, Mr. Lynch, when your wife testified before the committee she testified that you were supporting her, and your family lived reasonably comfortably, had reasonable amounts of money for food and shelter, clothing, and such. Is it not a fact that you do support your family?
 Mr. LYNCH. That is right.
 Mr. HALLEY. Then you do have some sort of income. Would that be true?
 Mr. LYNCH. That is right.
 Mr. HALLEY. Mr. Lynch, do you know Anthony Guarini?
 Mr. LYNCH. Yes, sir.
 Mr. HALLEY. Do you know a Max Stark?
 Mr. LYNCH. Yes, sir.
 Mr. HALLEY. How long have you known Max Stark?
 Mr. LYNCH. I would say about a year or so.
 Mr. HALLEY. Did you ever ask Max Stark to cash a check for you?
 Mr. LYNCH. I can't answer that question.
 Mr. SELSER. May I make a statement to the committee with regard to this witness?

I represent him in proceedings now pending in the States of New Jersey and New York, charges having been made against him alleging conspiracy with relation to certain alleged gambling activities in those States and in other places. The matters are now pending. He is presently under bail, having joined issue with the State, at the present phase of the proceedings.

In addition to this, I have been informed that his income-tax returns are now being investigated by the Internal Revenue Department with a view to inquiring into whether or not there has been a fraud in returns made, so as to lay the foundation for complaints against him under the Federal law for income-tax evasion. For this reason, I am advising my client not to make answers to questions which in my judgment he is privileged not to answer on the ground that to do so might be to testify against himself. And I claim his privilege under the fifth amendment to the Constitution of the United States and like provisions under the Constitutions of the States of New York and New Jersey.

I have already made a statement before the committee that this being an open session to which all persons are invited, his admissions would be used, if admissions were made, would be used in proceedings against him. I have said in my formal statement that if the committee will set up a program by which this man may give them information within the four corners of the resolution for the exclusive use of the committee, or of the Senate, within the four walls of the resolution under which the committee is created, I should advise my clients very differently as to the need for answering such questions.

Now if the committee be sincerely interested in desiring information for the use of the Senate and not to have the committee used as an arm of the prosecuting

officers of the various States and other law-enforcement agencies, if they will do this sort of thing, then, of course, we are very glad to cooperate with the Senate committee, and give them all the information for its use only under such a program. If questions are to be propounded which may be answered by counsel in written form after consultation, I should be very glad to cooperate with the committee and the Senate as a whole.

Now, on the basis of this reasoning I am advising my client not to answer these questions.

Senator HUNT. The counsel for the committee will proceed. My opinion as acting chairman, at least, is that any information we are entitled to privately we are entitled to publicly.

You may proceed.

Mr. HALLEY. Now the question was, Did you ever give Max Stark a check to cash?

Mr. LYNCH. On advice of counsel I refuse to answer.

Senator HUNT. The acting chairman requests the witness to answer "Yes" or "No."

Mr. LYNCH. On advice of counsel I refuse to answer on the ground that I don't want to incriminate myself.

Senator HUNT. The acting chairman directs and orders the witness to answer "Yes" or "No."

Mr. SELSER. I have advised him, sir, not to answer at all.

Senator HUNT. Allow the witness to make his own statement, please, if you will, counsel.

Mr. LYNCH. I refuse to answer.

Mr. HALLEY. At that point, Mr. Chairman, counsel desires to offer in evidence a check drawn on the Corn Exchange Bank Trust Co. in the amount of \$350, dated February 24, 1948. I request, because this is an open record, that when this check goes into the record the committee staff be instructed to clip out the name of the signer of the check, the drawer of the check, whose name the committee has been requested to keep confidential until such a time as the committee deems it proper to make it available publicly.

The endorsement on the check, Mr. Chairman, is James Lynch, and under his endorsement is "Max Stark special," and it shows that it was deposited in the Mercantile Bank of New York. I offer this in evidence.

Senator HUNT. It will be received into the records, and under what exhibit number?

Mr. HALLEY. Exhibit 1 for this witness.

Mr. SELSER. May I be heard in behalf of my client in this regard, sir?

Senator HUNT. You may.

Mr. SELSER. I consider that this is a violation of my client's constitutional right and is an attempt to do that for the prosecuting officials of the State which they might not have done for themselves, and I must respectfully ask that this be not made a part of the public record.

Senator HUNT. The acting chairman will rule it shall now be received as exhibit 1 for the record.

(The document referred to was marked "Lynch exhibit 1" and made a part of the record.)

Mr. HALLEY. Mr. Nellis, will you take the photostatic copy of the reverse side of this separate endorsement and show it to Mr. Lynch and ask him if the signature "James Lynch" which appears thereon is his signature?

Mr. NELLIS (showing document to witness). Is this your signature?

Mr. LYNCH. On advice of counsel I refuse to answer.

Senator HUNT. The acting chairman of the committee directs the witness to answer the question "Yes" or "No".

Mr. LYNCH. On advice of counsel I refuse to answer the question.

Mr. HALLEY. Mr. Chairman, I offer in evidence as exhibit 2 for this witness a check in the amount of \$500 dated September 26, 1947, drawn on the Corn Exchange Bank Trust Co., endorsed "James Lynch," second endorsement "Max Stark special," and deposited in the Mercantile Bank of New York. I would like to state in both cases what is being offered is a photostatic copy rather than the original. That applies to exhibit 1 as well as this one.

Senator HUNT. The exhibit will be received and entered in the record as exhibit 2.

Mr. HALLEY. Thank you.

(The document referred to was marked "Lynch Exhibit 2" and made a part of the record.)

Mr. HALLEY. May the record show that the testimony before the committee at a closed session was that a total of \$5,000,000 in such checks was deposited in the Mercantile Bank of New York during 5 months beginning in 1947 and ending in 1948.

Mr. LYNCH, were you ever connected directly or indirectly with the G. & R. Trading Co.?

Mr. LYNCH. I refuse to answer on the grounds I might incriminate myself.

Senator HUNT. The acting chairman directs the witness to answer the question "Yes" or "No."

Mr. LYNCH. I refuse to answer on the advice of counsel.

Mr. HALLEY. Were you ever connected directly or indirectly with the L. & L. Co. of Saratoga, N. Y.?

Mr. LYNCH. On advice of counsel I refuse to answer.

Mr. HALLEY. Were you ever connected with the L. & C. Amusement Co.?

Mr. LYNCH. On advice of counsel I refuse to answer.

Senator HUNT. The acting chairman directs the witness to answer the questions just asked "Yes" or "No."

Mr. LYNCH. I refuse to answer on the ground that I may incriminate myself.

Mr. HALLEY. Were you ever in Saratoga, N. Y.?

Mr. LYNCH. I refuse to answer.

Senator HUNT. The acting chairman directs the witness to answer the question "Yes" or "No."

Mr. LYNCH. Yes; I was in Saratoga.

Mr. HALLEY. Were you ever in the Arrowhead Inn in Saratoga, N. Y.?

Mr. LYNCH. Yes.

Mr. HALLEY. Were you in the Arrowhead Inn during the years of 1947 and 1948?

Mr. LYNCH. On advice of my counsel I refuse to answer. I may incriminate myself.

Senator HUNT. The acting chairman directs the witness to answer the question "Yes" or "No."

Mr. LYNCH. I refuse to answer.

Mr. HALLEY. Do you know whether or not there was operated in the Arrowhead Inn at Saratoga, N. Y., in the years 1947 and 1948 a gambling game?

Mr. LYNCH. I refuse to answer.

Senator HUNT. The acting chairman directs the witness to answer the question "Yes" or "No."

Mr. LYNCH. On the grounds of self-incrimination I refuse to answer.

Mr. HALLEY. Is it not a fact, Mr. Lynch, that starting in 1945 with the G. & R. Trading Co. and through 1946, 1947, 1948, 1949, and 1950 you were part owner and an active operator of gambling games in the State of New Jersey and in Saratoga, N. Y.?

Mr. LYNCH. On advice of counsel I refuse to answer.

Senator HUNT. The acting chairman directs the witness to answer the question "Yes" or "No."

Mr. LYNCH. I refuse to answer on the grounds of incriminating myself.

Mr. HALLEY. Is it not a fact that you were the office manager for L. & C. Amusement Co.?

Mr. LYNCH. I refuse to answer.

Senator HUNT. The acting chairman directs the witness to answer the question "Yes" or "No."

Mr. LYNCH. I refuse to answer on the grounds that I may incriminate myself.

Mr. HALLEY. Is it not a fact that during the years 1946 to 1948 you received from the L. & C. Amusement Co. \$42,128 in profits?

Mr. LYNCH. I refuse to answer.

Senator HUNT. The acting chairman directs the witness to answer the question "Yes" or "No."

Mr. LYNCH. I refuse on the grounds I may incriminate myself.

Mr. HALLEY. Do you know Alex Goldfine?

Mr. LYNCH. Yes, sir.

Mr. HALLEY. How long have you known him?

Mr. LYNCH. Four or five years, I guess.

Mr. HALLEY. When did you last see him?

Mr. LYNCH. Just about a year ago.

Mr. HALLEY. Where was that?

Mr. LYNCH. New York.

Mr. HALLEY. Whereabouts?

Mr. LYNCH. I think I met him on Seventh Avenue.

Mr. HALLEY. Just accidentally?

Mr. LYNCH. That is right.

Mr. HALLEY. Did you ever see him in New Jersey?

Mr. LYNCH. Yes.

Mr. HALLEY. Where?

Mr. LYNCH. Well, I refuse to answer that on the ground that I may incriminate myself.

Senator HUNT. The acting chairman directs the witness to answer the question "Yes" or "No."

Mr. LYNCH. I refuse to answer.

Mr. HALLEY. Is it not a fact that he was the straw boss for the gambling games operated by you and your associates in New Jersey?

Mr. LYNCH. I refuse to answer.

Senator HUNT. The acting chairman directs the witness to answer the question "Yes" or "No."

Mr. LYNCH. I refuse to answer on the grounds that I may incriminate myself.

Mr. HALLEY. Do you know Emanuel Schafer?

Mr. LYNCH. Yes, sir.

Mr. HALLEY. When did you last see him?

Mr. LYNCH. I don't know. Around the same time, I imagine.

Mr. HALLEY. Whereabouts?

Mr. LYNCH. I think it was in Jersey.

Mr. HALLEY. Jersey?

Mr. LYNCH. Yes.

Mr. HALLEY. Where?

Mr. LYNCH. I just don't recall. I don't recall.

Mr. HALLEY. Did you ever see him in a gambling house?

Mr. LYNCH. I refuse to answer.

Senator HUNT. The acting chairman directs the witness to answer the question "Yes" or "No."

Mr. LYNCH. I refuse to answer on the grounds that I may incriminate myself.

Mr. HALLEY. Do you know what business Emanuel Schafer was in?

Mr. LYNCH. I refuse to answer.

Senator HUNT. The acting chairman directs the witness to answer the question "Yes" or "No."

Mr. LYNCH. I refuse to answer on the grounds that I may incriminate myself.

Mr. HALLEY. Do you know Mike Lascari?

Mr. LYNCH. I don't think I do.

Mr. HALLEY. Do you know Andrew Bruno?

Mr. LYNCH. I know of a Bruno.

Mr. HALLEY. Do you know him?

Mr. LYNCH. I know a Bruno.

Mr. HALLEY. A Bruno who runs a hotel?

Mr. LYNCH. What?

Mr. HALLEY. Who runs a restaurant?

Mr. LYNCH. Bruno's restaurant?

Mr. HALLEY. Yes.

Mr. LYNCH. In New York?

Mr. HALLEY. Yes.

Mr. LYNCH. Yes; I know him.

Mr. HALLEY. Were you ever in a restaurant he had in New Jersey?

Mr. LYNCH. New Jersey?

Mr. HALLEY. In New Jersey.

Mr. LYNCH. In New Jersey?

Mr. HALLEY. Yes.

Mr. LYNCH. Whereabouts in New Jersey?

Mr. HALLEY. Lodi.

Mr. LYNCH. I refuse to answer that question.

Senator HUNT. You have refused to answer perhaps 15 or 20 questions so far, Mr. Witness. If you are taking a chance of incriminating yourself to the extent of 15 or 20 times, you are in a rather bad way, are you not?

The Chair directs that the witness answer the question "Yes" or "No."

Mr. LYNCH. I refuse to answer on the grounds I may incriminate myself.

Mr. HALLEY. Do you know John W. Barker?

Mr. LYNCH. Yes, sir.

Mr. HALLEY. I offer in evidence withholding statement, 1947, John W. Barker, for Federal income tax withheld, and the employer stated in this income-tax

withholding statement is James Lynch, Gerald Catena, Joseph Doto, and Salvatore Moretti, L & C Amusement Co., care of Charles Handler, 790 Broad Street, Newark, N. J., as exhibit No. 3.

Senator HUNT. The exhibit will be received.

(The document referred to was marked "Lynch Exhibit No. 3" and made a part of the record.)

Mr. HALLEY. And I offer as exhibit No. 4 a similar withholding statement to John W. Barker for Federal income tax withheld by L & L Co., R. F. D. No. 1, Saratoga Springs, N. Y.

Senator HUNT. The exhibit will be received.

(The document referred to was marked "Lynch Exhibit No. 4" and made a part of the record.)

Mr. HALLEY. Do you know Mr. Milton Kessler?

Mr. LYNCH. Yes, sir.

Mr. HALLEY. I offer in evidence withholding receipt for the year 1945 of Milton Kessler for Federal income tax withheld. The employer is listed as Anthony Guarini, G & R Trading Co., 109 Roosevelt Avenue, Hasbrouck Heights, N. J.

Senator HUNT. The exhibit will be received.

(The document referred to was marked "Lynch Exhibit No. 5" and made a part of the record.)

Mr. HALLEY. I offer in evidence withholding statement for the year 1948 of Milton Kessler for Federal income tax withheld. The employers are listed as J. Lynch, G. Catena, J. Doto, S. Moretti, doing business as L. & C. Amusement Co.

Senator HUNT. The exhibit will be received.

(The document referred to was marked "Lynch exhibit No. 6" and made a part of the record.)

Mr. HALLEY. The amount of the tax here is \$136.50 on a salary of \$1,300.

Mr. Chairman, I would like to offer in evidence as the next exhibit withholding statement for the year 1948 of Milton Kessler for Federal income tax in the amount of \$115.50 on a total wage of \$1,500, and the employer is listed as J. Lynch, J. Doto, A. Guarini, et al., doing business as Pal Trading Co.

Senator HUNT. The exhibit will be received.

(The document referred to was marked "Lynch Exhibit No. 7" and make a part of the record.)

Mr. HALLEY. Do you know Meyer Lansky?

Mr. LYNCH. Yes.

Mr. HALLEY. How long have you known him?

Mr. LYNCH. About 6 or 7 years, I imagine.

Mr. HALLEY. Have you ever been in business with him?

Mr. LYNCH. I refuse to answer on the grounds that I may incriminate myself.

Senator HUNT. The acting chairman directs the witness to answer the question "Yes" or "No."

Mr. LYNCH. I refuse to answer on the grounds that I may incriminate myself.

Mr. HALLEY. Do you know Frank Costello?

Mr. LYNCH. Slightly.

Mr. HALLEY. You don't know him well?

Mr. LYNCH. No, sir.

Mr. HALLEY. What do you mean when you say you know him slightly?

Mr. LYNCH. Well, I have never been around the fellow. I never saw him. I see him now and then; as far as knowing him, I don't know anything about him.

Mr. HALLEY. Did you ever eat at Toots' Restaurant?

Mr. LYNCH. Once in a while.

Mr. HALLEY. Did you ever see him there?

Mr. LYNCH. No, sir.

Mr. HALLEY. Did you ever see Willie Moretti there?

Mr. LYNCH. Yes, sir.

Mr. HALLEY. Do you know Joe Arosa, Joe Bailey?

Mr. LYNCH. Yes, sir.

Mr. HALLEY. And did you know Charles Luciano?

Mr. LYNCH. No, sir.

Mr. HALLEY. Do you know Longy Zwillman?

Mr. LYNCH. I know of him, but I don't know him.

Mr. HALLEY. You never met him?

Mr. LYNCH. No, sir.

Mr. HALLEY. Do you know Little Augie?

Mr. LYNCH. I met Little Augie in Florida one time.

Mr. HALLEY. Did you ever stay at the Wofford Hotel in Florida?

Mr. LYNCH. Yes, sir; that is where I met him.

Mr. HALLEY. Do you know Abe Allenberg?

Mr. LYNCH. I don't think I do.

Mr. HALLEY. He ran the place.

Mr. LYNCH. I don't think I do. I checked into the Wofford, and I didn't know who was their owners, or anybody else.

Mr. HALLEY. What year did you stay there?

Mr. LYNCH. I think it was in the year—about 5 years ago, I imagine, 4 or 5 years ago.

Mr. HALLEY. Do you know Johnny King?

Mr. LYNCH. No, sir.

Mr. HALLEY. Do you know Frank Erickson?

Mr. LYNCH. I know of him.

Mr. HALLEY. Do you know him?

Mr. LYNCH. Never met him.

Mr. HALLEY. Do you know Bugsy Siegel?

Mr. LYNCH. No, sir.

Mr. HALLEY. Do you know Salvatore Moretti?

Mr. LYNCH. Yes, sir.

Mr. HALLEY. And you know Arthur Longano?

Mr. LYNCH. Yes, sir.

Mr. HALLEY. And I think you testified you know Anthony Guarini?

Mr. LYNCH. That is right.

Mr. HALLEY. Do you know Gerry Catena?

Mr. LYNCH. Yes, sir.

Mr. HALLEY. I have no other questions, Mr. Chairman.

Before the witness is excused, Mr. Chairman, I would like to offer in evidence a withholding statement of Milton Kessler, which has previously been identified, from the Nevada Project Corp., doing business as the Flamingo, Las Vegas, Nev., for total wages of \$6,720, Federal tax withheld \$1,058.40. This is for the year 1947.

Senator HUNT. The exhibit will be received.

(The document referred to was marked "Lynch Exhibit No. 8" and made a part of this record.)

Senator HUNT. The witness is excused.

Mr. LYNCH. Thank you.

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